

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Civil File No. 07-2374 PAM/JSM

William Grimm and Jeff Seipel, as Trustees of the Minnesota Laborers Health and Welfare Fund and Minnesota Laborers Pension Fund; James Brady and Keith Kramer, as Trustees of the Minnesota Laborers Vacation Fund; Tom Vevea and Gary Reed, as Trustees of the Construction Laborers' Education, Training, and Apprenticeship Fund of Minnesota and North Dakota; and Ronald Thornburg and Cindy Ecklund, as Trustees of the Minnesota Laborers Employers Cooperation and Education Trust; and each of their successors,

Plaintiffs,

**ORDER OF DISMISSAL
WITH PREJUDICE**

vs.

TMS Construction, Inc.,

Defendant.

Based upon the parties' Stipulation of Dismissal with Prejudice [Docket No. 13],
IT IS HEREBY ORDERED that above-entitled matter be, and hereby is, dismissed with prejudice, and without costs to any party.

Dated: October 23, 2007

s/Paul A. Magnuson
The Honorable Paul A. Magnuson
United States District Judge